

# PATENT COOPERATION TREATY

# PCT

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>FE6164 CCA</b>	<b>FOR FURTHER ACTION</b> <span style="float: right;">See Form PCT/IPEA/416</span>																									
International application No. <b>PCT/EP2005/001539</b>	International filing date (day/month/year) <b>14.02.2005</b>	Priority date (day/month/year) <b>24.02.2004</b>																								
International Patent Classification (IPC) or national classification and IPC <b>C08F4/02, C08F4/622, C08F4/70</b>																										
Applicant <b>STICHTING DUTCH POLYMER INSTITUTE et al.</b>																										
<ol style="list-style-type: none"> <li>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> <li>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</li> <li>3. This report is also accompanied by ANNEXES, comprising:               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:                   <ul style="list-style-type: none"> <li><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</li> <li><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</li> </ul> </li> <li>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</li> </ol> </li> </ol>																										
<ol style="list-style-type: none"> <li>4. This report contains indications relating to the following items:               <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> </li> </ol>			<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand  <b>01.12.2005</b>	Date of completion of this report  <b>11.01.2006</b>																									
Name and mailing address of the international preliminary examining authority:  <div style="display: flex; align-items: center;"> <div>             European Patent Office              D-80298 Munich              Tel. +49 89 2399 - 0 Tx: 523656 epmu d              Fax: +49 89 2399 - 4465           </div> </div>	Authorized Officer  <b>Gamb, V</b>  Telephone No. +49 89 2399-																									



**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2005/001539

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**Box No. I Basis of the report**

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1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements**\* of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

**Description, Pages**

1-15 as originally filed

**Claims, Numbers**

1-16 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):
- \* If item 4 applies, some or all of these sheets may be marked "superseded."

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-16
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations (Rule 70.7):

**see separate sheet**

**To Box V :**

1. The following documents (D1-D6) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

- D1 : PATENT ABSTRACTS OF JAPAN vol. 2002, no. 10, 10 October 2002 -& JP 2002 179724 A (TONEN CHEM CORP; NIPPON STEEL CHEM CO LTD; NIPPON ZEON CO LTD; KANEGAF), 26 June 2002
- D2: PATENT ABSTRACTS OF JAPAN vol. 1998, no. 04, 31 March 1998 -& JP 09 324010 A (TOSOH CORP), 16 December 1997
- D3: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 25, 12 April 2001 -& JP 2001 213913 A (IDEMITSU PETROCHEM CO LTD), 7 August 2001
- D4: PATENT ABSTRACTS OF JAPAN vol. 1999, no. 08, 30 June 1999 -& JP 11 080230 A (TOSOH CORP), 26 March 1999
- D5: PATENT ABSTRACTS OF JAPAN vol. 1999, no. 13, 30 November 1999 -& JP 11 236408 A (NIPPON POLYOLEFIN KK), 31 August 1999
- D6: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 10, 17 November 2000 -& JP 2000 191718 A (MITSUI CHEMICALS INC), 11 July 2000.

2. The present application does not meet the requirements of Article 33(2) PCT, because the subject-matter of claims 1-16 is not new.

D1 discloses a supported catalyst system comprising a manganese compound satisfying formula (II) and a diethylaluminium chloride (DEAC)-treated  $\text{MgCl}_2$  support (examples and claims).

As a consequence, the subject-matter of claims 1-16 seems not to be novel over D1.

Similarly, D2 to D6 disclose a supported catalyst system as claimed in the present application (see passages cited in the international search report).

Hence seems the subject-matter of claims 1-16 not to be new over D2-D6.

For the further examination, the Applicant is requested to file a translation of the Japanese patents corresponding to the abstracts D1-D6 in one of the official languages of the EPO.

**INTERNATIONAL PRELIMINARY  
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(SEPARATE SHEET)**

International application No.

PCT/EP2005/001539

3. When filing a new set of claims, which is **novel** and for which an **inventive** step can be demonstrated, the Applicant is invited to explain which features distinguish such new claims from the documents cited, which technical effect is caused by said distinguishing features and which objective problem is solved by this effect in an unexpected manner.